

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 15-CR-54-WMC-2

AMADOU CAMARA,

Madison, Wisconsin

February 2, 2016

Defendant.

1:20 p.m.

* * * * *

STENOGRAPHIC TRANSCRIPT OF SENTENCING HEARING
HELD BEFORE CHIEF JUDGE WILLIAM M. CONLEY,

APPEARANCES:

For the Plaintiff:

Office of the United States Attorney
BY: ROBERT ANDERSON
Assistant United States Attorney
660 West Washington Avenue
Madison, Wisconsin 53703

For the Defendant:

Dutch Law Office
BY: GREGORY DUTCH
131 West Wilson Street, Ste. 1201
Madison, Wisconsin 53703

Also appearing:

Amadou Camara - defendant
Jessica Harris - US Probation Officer

Lynette Swenson RMR, CRR, CRC
U.S. District Court Federal Reporter
United States District Court
120 North Henry Street, Rm. 520
Madison, Wisconsin 53703
608-255-3821

1 (Proceedings called to order.)

2 THE CLERK: Case Number 15-CR-54-WMC-2. *United*
3 *States v. Amadou Camara* called for a sentencing hearing.
4 May we have the appearances, please.

5 MR. ANDERSON: The United States appears by
6 Assistant U.S. Attorney Robert Anderson.

7 MR. DUTCH: Good afternoon, Your Honor.
8 Mr. Camara is present in court with his attorney Greg
9 Dutch.

10 THE COURT: Very good. We are here for the
11 sentencing of Amadou Camara. I apologize for my delay in
12 coming out. These series of cases have been difficult
13 ones, Mr. Camara's case not least among them. My first
14 obligation, Mr. Camara, is to confirm that you have read
15 and discussed the presentence report, the revised
16 presentence report, and the addendum to that report with
17 your counsel.

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: And have you had an opportunity to
20 review the proposed conditions of release, to the extent
21 they may apply here?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: Very good. I understand the
24 government is moving for an additional one-level
25 reduction for acceptance of responsibility?

1 MR. ANDERSON: That's correct.

2 THE COURT: And I will grant that motion, along
3 with the defendant's motion to seal his sentencing
4 memorandum. With those preliminaries, I will accept the
5 plea agreement, finding that the offense of conviction
6 adequately reflects the defendant's criminal conduct and
7 the plea agreement does not undermine the statutory
8 purposes of sentencing.

9 In determining the defendant's sentence, I will take
10 into consideration the advisory sentencing guidelines and
11 the statutory purposes of sentencing that are set forth
12 at Section 3553(a) of Title 18.

13 First as to the guidelines, the defendant filed two
14 objections to the presentence report. The first, he
15 objected to the inclusion of a 40-pound load of marijuana
16 in his drug quantity analysis, stating that he did not
17 believe he was involved in that transaction and was
18 elsewhere when the transaction occurred. Corroborating
19 witness statements reflect that the defendant was
20 minimally an investor in that load, whether or not
21 physically present for that specific transaction.
22 Moreover, given the principal role the defendant played
23 in this conspiracy, the amount was reasonably foreseeable
24 to the defendant, well within the scope of the conspiracy
25 to distribute marijuana and correctly included in the

1 drug quantity analysis under Section 1B1.3(a)(1). The
2 combined weight of the marijuana attributable to the
3 defendant's relevant conduct is therefore conservatively
4 between 100 and 400 kilograms of marijuana.

5 The defendant also objected to the four-level
6 increase given his role in the offense as an organizer,
7 leader, manager or supervisor of criminal activity
8 involving five or more participants. He has already
9 acknowledged that a two-level aggravating role
10 enhancement does apply. Over the course of the
11 conspiracy, the investigative materials showed that the
12 defendant helped organize a conspiracy with Enis Gashi,
13 recruited drivers, supplied the money and vehicles to the
14 drivers and transporters, flew to California to broker a
15 deal, and received the marijuana for distribution upon
16 the driver's return to Wisconsin. Accordingly, I have
17 little trouble finding that a four-level enhancement
18 under Section 3B1.1(a) is appropriate for this defendant.

19 Given these rulings, I find that the probation
20 office has calculated the advisory guidelines correctly
21 using the current guidelines manual and the supplement as
22 well as taking into account all relevant conduct pursuant
23 to Section 1B1.3. The guideline for conspiracy with
24 intent to distribute and possess with intent to
25 distribute marijuana in violation of Section 841(a)(1)

1 and 846 of Title 21 is found at Section 2D1.1. That
2 section provides an offense involving at least 100
3 kilograms but less than 400 kilograms of marijuana as a
4 base offense level of 24 pursuant to Section 2D1.1(c)(8).
5 No other Chapter 2 adjustments apply.

6 With a four-level increase warranted under Section
7 3B1.(a) [verbatim] because the defendant was an organizer
8 within this conspiracy for reasons I've already
9 explained, his total offense level is 28. However, the
10 defendant qualifies for a three-level downward adjustment
11 under Section 3E1.1, having demonstrated acceptance of
12 responsibility for his offense, both by pleading guilty
13 and by returning to this country to do so and by virtue
14 of the government's motion for an additional one-level
15 reduction. This leaves the defendant with a total
16 offense level of 25 and a criminal history category of I
17 and an advisory imprisonment range of 57 to 71 months,
18 and that is where the Court begins to address sentencing.

19 The defendant is different from the others who have
20 been before the Court, except for Mr. Gashi, who the
21 Court has yet to sentence, in that he was fundamental to
22 the furtherance of the conspiracy, notwithstanding
23 defense counsel's efforts in his memorandum to
24 characterize his defendant as less than that. I don't
25 think the record really permits another argument, as I've

1 already addressed. I certainly think there are
2 mitigating factors here, including the defendant's family
3 who appear to be remarkable people who made every effort
4 to provide an opportunity for their son, and I think were
5 he to return to those values, it says much about what the
6 defendant could still be. His willingness to return and
7 accept responsibility for his conduct from overseas
8 speaks to his character, and the fact that he is likely
9 to face deportation is a factor that I will consider.

10 Having said that, much of the remainder of the
11 defense brief I just don't think rings true, beginning
12 with the fact that the defendant seems to have adopted
13 two lives in this country, one that he portrayed for his
14 family and extended family and friends in that community
15 and the other that he embraced for whatever reason,
16 including the fact that he may have wanted strongly to
17 fit in. He's a bright, talented young man, but he is
18 deserving of punishment given his role here. And I have
19 not decided what that punishment should be.

20 I am interested in comments from the government, any
21 additional comments from defense counsel beyond the
22 memorandum, and of course comments from the defendant.
23 And I will begin with the government. Mr. Anderson.

24 MR. ANDERSON: Well, Your Honor, the presentence
25 investigation report again, as we've seen with many of

1 the defendants so far, does do a comprehensive job in
2 laying out the nature of the conspiracy and in particular
3 Mr. Camara's role. It is accurate to say that without --
4 Mr. Camara and Mr. Gashi, before they got together, had
5 their own little things going on. But this conspiracy,
6 this business was joining together to take advantage of
7 sources that Mr. Gashi ultimately had in California and
8 then ultimately some other places as well that whoever
9 other conspirators may have known as sources.

10 The defendant, not only living sort of the double
11 life that the Court referred to a moment ago, he was --
12 it appeared he was living a high standard life, a high
13 life which was -- appeared to be one of the ways that he
14 supported that high life and high standard was by his
15 earnings from the substantial marijuana purchase and
16 resale. As other defendants in this case indicated,
17 Mr. Camara was a major -- not just a person who supplied
18 money or a person who joined with the others in -- I'll
19 use the term, although I know the Judge doesn't like
20 that -- but it was an investment, what they were doing.
21 He supplied --

22 THE COURT: The only reason I don't like it is I
23 think it's indicative of how far astray the members of
24 the conspiracy got in thinking of themselves as --

25 THE DEFENDANT: Legitimate?

1 THE COURT: -- high-flying businessmen as
2 opposed to people engaged in a criminal conspiracy.

3 MR. ANDERSON: Right. And, you know, I could
4 speculate why they thought that this was either
5 acceptable or legitimate, but it's -- anyway, as other
6 defendants told us, he was a major contributor into the
7 money that was put into loads, which then with him
8 supplying the lion's share or say half of it, the other
9 persons that were putting money in had the benefit of
10 joining in, putting in their smaller amounts of money and
11 getting the benefit of purchase and volume which then
12 they got a volume discount; made it easier for everyone
13 else to purchase.

14 It's hard to tell where he was getting the large
15 amounts of money that he did or where the large amounts
16 of money that he got have gone we don't know, but without
17 him, without his, number one, investment, number two,
18 supplying, setting up Mr. Christmas as a transporter and
19 providing Mr. Christmas to Mr. Gashi for many of the
20 loads and helping coordinate acquisition/disposition of
21 those loads, I don't think -- the enterprise might not
22 have been as successful as it was or gotten as large as
23 it did.

24 So I think given his higher level, higher standard,
25 along with Mr. Gashi, I think the guideline range

1 determination is appropriate. Of course the government
2 does recommend the bottom of that guideline range.

3 THE COURT: Thank you. Mr. Dutch.

4 MR. DUTCH: Thank you, Your Honor.

5 THE COURT: I should have said I've also read
6 many letters written on behalf of the defendant,
7 particularly his father's letter, but the others as well
8 from teachers and friends. They help paint this complete
9 disconnect between one defendant and the other. And it
10 is unfortunate there is such a dichotomy between those
11 two pictures.

12 MR. DUTCH: So the argue -- not to rehash the
13 argument, but just to talk about Mr. Camara's role, this
14 conspiracy did not start with Mr. Camara and it didn't
15 end with him.

16 THE COURT: I'm going to try to make this clear
17 to you, Mr. Dutch. I agree that but for Enis Gashi, the
18 conspiracy wouldn't have gotten as big as it did. But
19 your client was already involved in sales and he merged
20 his operation and was crucial to the larger operation.
21 That's a sad tragic fact. And so arguing that somehow
22 the others are more responsible, I don't necessarily
23 disagree that Enis Gashi may be more responsible, but no
24 one else is more responsible than your client. And I
25 just disagree with your characterization of the record to

1 the contrary.

2 MR. DUTCH: And I don't think -- you know, I
3 don't want to talk -- have us talking past one another.
4 I don't think I'm denying any acceptance of his
5 responsibility. I think we've included all of --

6 THE COURT: Your memorandum and your comments as
7 you start out are both an attempt to characterize him as
8 somehow not as active as some others, particularly
9 Mr. Gashi, but including others who clearly were making
10 direction from Gashi and from your client. And I just
11 have difficulty trying to paint a different picture. I
12 think there are, as I've tried to allude to, other
13 reasons for departure, but I certainly don't think that
14 is one of them.

15 MR. DUTCH: Well, and I wasn't -- I mean you've
16 made your ruling and I'm not asking you to reconsider
17 that ruling by any chance -- by any means and I'm not
18 trying to diminish Mr. Camara's role in this. I guess,
19 you know, as a lawyer, it was me -- myself, not
20 Mr. Camara, that was trying to maybe split hairs and the
21 Court has said don't do that and I will move on from
22 that.

23 As far as the reason behind this, I don't think --
24 and you talk about two different personalities and I
25 could see how that would -- that that would come across

1 to the Court, but I believe that Mr. Camara, you know,
2 he's not trying to say that he had a drug -- you know,
3 was addicted to drugs or his mental health issues caused
4 this. I think that he has stepped forward and
5 accepted --

6 THE COURT: In fact there's no indication of
7 either of those things.

8 MR. DUTCH: And I didn't include that. I mean I
9 think he saw this as an ability to reach out to these
10 other people in the fraternity and to get people to
11 invest and that it was strictly a business operation as
12 part of the enterprise. And I don't think I've ever
13 tried to deviate from that and I don't think Mr. Camara
14 has ever tried to deviate from that. So I just wanted to
15 make sure that, you know, I'm not trying to cloud the
16 Court's judgment here. I think he has fully accepted his
17 responsibility and whether the Court was going to go with
18 a three-level or a four-level, we were never expecting
19 anything less on that.

20 I think that the -- I've tried to highlight, and I
21 think the Court has of course picked up on the highlights
22 of the positive aspects that Mr. Camara brings. I
23 believe that the idea that he wanted to come back to face
24 these allegations is important and the Court has already
25 mentioned that. I'll try not to reiterate it. But I

1 will say that he is the only one of these defendants who
2 spent time in a Hong Kong prison, a Chinese prison, and
3 then when he did get back to land in Chicago, he was
4 immediately taken into custody and he's the only one of
5 all of the defendants who has already spent time in the
6 MCC in Chicago and, prior to anybody having issues while
7 on pretrial release, spent time in a county jail. And I
8 think that differentiates him from many of the other
9 co-defendants.

10 I --

11 THE COURT: You raise an interesting point which
12 is I'm not sure what credit he gets for that time. I
13 mean he essentially would have been held, even in Hong
14 Kong, on a detainer I assume. I don't know, and I don't
15 know that probation has indicated, if he gets any credit
16 for that period of time.

17 AGENT: I'm not sure.

18 MR. DUTCH: I think he would get time though
19 certainly once he was taken into custody in the United
20 States. I'm pretty sure that that would count for time.

21 THE COURT: And to that extent it also reduces
22 how much credit I can give him since he was, after all,
23 detained overseas before being brought back. So it's a
24 two-edge sword.

25 MR. DUTCH: I understand that. But I just --

1 not many people have been detained in a Chinese prison
2 and still has -- and then as the Court, to circle back,
3 talking about this dichotomy, I mean again I think it's
4 -- they're very -- there are really many positive things
5 about Mr. Camara's character that we tried to highlight.
6 We tried to provide letters, not just in support of him,
7 but I know that in speaking with the probation
8 department, there were some issues about prior employment
9 and we had to scurry a little bit. But I believe we have
10 provided the Court ample documentation of his employment
11 record and employment history, and again, I think that
12 goes to his character as well.

13 I think that since he has been here and my getting
14 to know Mr. Camara since June, I've got to know the
15 family quite well. I've met with his father alone on a
16 number of occasions. I have -- you know, this is such a
17 serious allegation and a serious charge, but for this,
18 this would truly have been a Horatio Alger-type story,
19 Judge, although always with the issue hanging over his
20 head that he did not have a social security number and
21 who knows how that would have been resolved in the
22 future.

23 But I believe that Mr. Camara in his letter tried to
24 explain and we've just tried to explain that this -- his
25 involvement in this conspiracy was strictly a

1 moneymaker-type situation and I don't know if his life
2 paths have separated -- they separated at some point when
3 he became involved in this conspiracy, but I can say with
4 all honesty and with all humility that the paths that
5 have parted have come together or are coming together
6 maybe would be a better component of this; that his
7 family has acknowledged this and have continued to
8 embrace him; that Amadou has acknowledged this and has
9 tried to focus on the positives. Since he's been out,
10 he's, although living with his parents, he still does
11 have an apartment in Chicago. He has continued to study.
12 He has studies and he's studying for something called the
13 CFA, a Charter Financial Analysis, it's a document. He
14 continues to work. He continues to be in touch with his
15 family.

16 So I guess, Judge, I'm happy to answer any specific
17 questions. I tried to lay this out as much as possible.
18 I don't know if the Court sees these dichotomy coming
19 together since the end of his involvement in the
20 conspiracy. I hope the Court has seen at least progress
21 towards the two roads becoming -- from being divergent to
22 joining.

23 THE COURT: Maybe that's a good place to turn to
24 the defendant, Mr. Camara. I did read your letter and I
25 have tried to better understand what led you down this

1 path. But it is hard to see where you left what were
2 fundamental values of hard work and honesty and the
3 importance of education instilled by your parents to how
4 you became an active participant in this conspiracy and
5 someone who was telling one story to his parents and
6 portraying one individual while living a very different
7 life elsewhere. That's maybe the most difficult thing
8 for me to account for in trying to decide on an
9 appropriate sentence. I'd be happy to hear anything you
10 wish to add.

11 THE DEFENDANT: Your Honor, I want to first
12 start by saying I apologize for the manner in which my
13 actions affected my loved ones. I know, you know, that
14 goes without saying.

15 THE COURT: It doesn't really go without saying
16 and I really hope that you're not going to try to sell me
17 something today.

18 THE DEFENDANT: No, I'm not. I'm --

19 THE COURT: Because that would really be a
20 mistake at this point.

21 THE DEFENDANT: Yep. I completely understand,
22 Your Honor. I'm saying this for my loved ones because I
23 think --

24 THE COURT: Well then you should say it to them
25 and it doesn't go without saying.

1 THE DEFENDANT: Again, I can look at my family.
2 I'm truly sorry about how my actions have affected us.
3 You know, we come from a very religious background,
4 close-knit community, and, you know, throughout this
5 entire process and even during the time I was abroad and
6 I could return to the U.S., I could feel just the heavy
7 weight that I've put upon my loved ones and I'm truly
8 sorry about that. I can't say that enough.

9 I don't come from a background where, you know -- my
10 parents and my family have done everything they can for
11 me. We've come -- we came to the United States at a very
12 young age and there was never one moment that my parents,
13 my family's predis -- their predisposition prevented them
14 from moving forward. We came here on a travel visa and
15 we stayed here as undocumented aliens. At some point in
16 my -- with that being said, there's a certain point where
17 you lead to an area of desperation and, you know, in turn
18 that makes you forget some of the values that were
19 instilled into you. That's not something that I should
20 have never strayed away from, but --

21 THE COURT: I'm having trouble finding that
22 desperation in your life. I certainly understand moving
23 from New York and a larger community of Gambian refugees
24 and others to Madison, Wisconsin, where you felt like an
25 outsider and your efforts to try to fit in. But you did

1 that very well. You assimilated in ways that your
2 parents had strongly encouraged and --

3 THE DEFENDANT: I did. And --

4 THE COURT: And yet I don't -- I'm not hearing
5 what then led you -- what it was that motivated you the
6 way -- from someone who was a good student, who was
7 seemingly popular and had friends, to someone who thought
8 it was a good idea to start selling substantial amounts
9 of marijuana and making a lot of money.

10 THE DEFENDANT: To address that, to be quite
11 frank with you when I got to the University of
12 Wisconsin-Madison, I was still an undocumented alien. I
13 wrote that in my letter, explaining that there was a
14 legislation change in 2011 that basically anyone who was
15 paying instate as an undocumented citizen, you were then
16 -- you couldn't -- you weren't entitled to those benefits
17 anymore. My parents did whatever they could, earning the
18 wage that they had, and we pulled together and we, you
19 know, attempted to afford a secondary education, which
20 was substantially expensive.

21 I was working under the table. I had no right to
22 work in the United States. I was still undocumented. I
23 didn't have any opportunity to get any aid. Most of the
24 scholarships I would have received in high school were
25 taken from me because they later learned that I had no

1 type of documentation, not a social security card or
2 anything. I could be deported at any second.

3 So, you know, coming into college, I did whatever I
4 could to earn what I could in order to support my family.
5 But they've been through enough. You know, as a man, at
6 some point you need to -- you make your own decisions and
7 then you need to be able to prepare for any consequences
8 that those, you know, decisions entail. So quite frankly
9 I had a point where I didn't have some sort of -- I
10 didn't have an addiction. I didn't -- I quite frankly
11 engaged in it because of the business opportunity behind
12 it. And I'm not going to try to embellish --

13 THE COURT: You had to know you were putting
14 your own immigration status in tremendous jeopardy by
15 doing it.

16 THE DEFENDANT: I did.

17 THE COURT: And you were by your own account
18 earning money in other ways --

19 THE DEFENDANT: Um-hmm.

20 THE COURT: -- in legitimate employment,
21 although I understand and could understand some
22 desperation in that you couldn't do it on the surface --

23 THE DEFENDANT: Um-hmm.

24 THE COURT: -- but you made a lot more money
25 than you necessarily needed to support yourself. You

1 enlisted others, pulled them into this conspiracy. You
2 changed your lifestyle. I mean it's not -- it doesn't
3 come across as desperation, it comes across as greed.

4 THE DEFENDANT: Your Honor, I understand that,
5 and with that I was very honest with my defense and
6 others I've spoken with to say that --

7 THE COURT: Not as honest as you could have been
8 with the probation office, which didn't help your cause
9 either. What I'm saying is you're standing up in front
10 of me and being bright and articulate and telling me a
11 story that sounds like a story. It doesn't sound like
12 it's coming from your heart. It doesn't sound desperate.
13 It doesn't sound all that sincere. It may be, but your
14 letter doesn't come across that way and you're not coming
15 across that way now. And I'm concerned for you, as much
16 as I am for an appropriate sentence that unless you
17 figure out how you got here --

18 THE DEFENDANT: I'm trying to be as sincere as
19 possible, Your Honor, and --

20 THE COURT: And I don't know what that says. It
21 may be a problem with my ability to discern it; it may
22 also be a problem with you to really get in touch with
23 what's really going on inside, something that you may
24 have developed over a substantial period of time. I
25 don't know.

1 In any event, I'm happy to hear anything else that
2 you wish to add. I do have a few questions.

3 THE DEFENDANT: I was just going to wrap up by
4 saying that, you know, to say that everyone, you know, in
5 this enterprise earned the same amount of money or their
6 incentive buys the same way, I don't think that's true at
7 all. I'm not arguing responsibility, but what I can
8 truly tell you is my earnings behind all this was
9 substantially different and I -- when I finally received
10 work authorization and I was able to go on to receive
11 some strong internships and I was making money legally, I
12 developed a trend where I would try to wean myself out of
13 this. There was no -- I can now be in the United States
14 safely and apply for positions safely within a two-year
15 period and not have to worry about being deported.

16 There was a comment said earlier that, you know, I
17 was living this some sort of high-life lifestyle. I
18 think the only comments that were provided by people in
19 the case were just simply by the way I dressed.

20 THE COURT: And the fact that you were traveling
21 and doing other things that aren't typical of a college
22 student.

23 THE DEFENDANT: Yeah. I'm involved, as you can
24 see, I'm involved in a lot of different things. I
25 modeled for years on campus. I never to one moment tried

1 to let my predisposition, you know, prevent me from
2 moving forward. So in various facets I tried to, you
3 know, involve myself.

4 THE COURT: I don't know if you can hear, but
5 you're digging yourself a hole and I don't -- it's
6 interesting that you don't understand that. It's not
7 going to change my sentence very much, but it's
8 indicative of someone who doesn't quite understand what
9 it was they did.

10 THE DEFENDANT: Your Honor, I apologize if I'm
11 not articulate.

12 THE COURT: You don't need to. What you need to
13 do is stop selling.

14 THE DEFENDANT: I'm not trying to sell, Your
15 Honor.

16 THE COURT: Let's try it a different way.

17 THE DEFENDANT: Okay.

18 THE COURT: Can you tell me where you stand with
19 your own degree?

20 THE DEFENDANT: At the moment, and I explained
21 this in my essay, right now I haven't earned --

22 THE COURT: Well, you did explain it, but I
23 don't understand it. You went through the process of
24 graduating, that is to say you went through the ceremony.
25 You told your parents you had graduated. And you knew

1 that you still had a problem with an accusation of
2 plagiarism.

3 THE DEFENDANT: Yes, Your Honor. It was a
4 pending paper, and as I said earlier, I did everything
5 that was told to me --

6 THE COURT: When was the last time you spoke to
7 the University about it?

8 THE DEFENDANT: The University? Honestly just a
9 few weeks ago I went to the professor's office and the
10 head of the department to meet with them and they just
11 haven't gotten back to me. I've tried to speak with them
12 on dozens of occasions. I'm not sure if it's a professor
13 being, you know, busy or anything, but I'm still --

14 THE COURT: It's been quite a period of time
15 since you first pursued this. Let me ask you a second
16 question: What were you doing in Appleton?

17 THE DEFENDANT: In Appleton, Wisconsin? I went
18 up to Appleton, Wisconsin, to drop off a friend who was
19 visiting me in Chicago, and, you know, I was turning
20 straight back to come back to Madison.

21 THE COURT: Why didn't you tell your probation
22 officer?

23 THE DEFENDANT: It didn't occur to me that
24 Appleton was outside of the district of -- the Western
25 District of Wisconsin. And I apologize to my probation

1 officer about that. That was completely my fault, my
2 negligence.

3 THE COURT: What are you doing currently?

4 THE DEFENDANT: Currently I'm involved in a
5 couple different things in Chicago. I'm trying to --
6 I've been interviewing full time for a bunch of different
7 analyst positions.

8 THE COURT: But you haven't been working.

9 THE DEFENDANT: I have been working. So as I
10 explained earlier, I'm a musician. I DJ and I produce.
11 And then I also do contract work as an investment
12 analyst. So the company doesn't technically hire you on,
13 but they put you on like a short-term basis with them and
14 then you, you know, you do Excel models or anything they
15 need done.

16 THE COURT: And what do you plan to do going
17 forward?

18 THE DEFENDANT: Going forward, to be honest I'm
19 going to continue to, you know, go to the historical
20 sciences department in order to have the professor give
21 me the green light in order for me to obtain the degree.
22 And then from there, you know, whatever happens
23 profession-wise, I want to continue to progress. I want
24 to work. I want to be, wherever I'm at, I want to be a
25 contributing member of society.

1 I want my family to move past this most of all.
2 They've been through so much and I just want to be in a
3 position where I'm caring for them and supporting not
4 only myself, but my loved ones through legal means and
5 not having to put them through something like this ever
6 again.

7 THE COURT: Thank you. I am prepared to render
8 sentence. The defendant is a 24-year-old man who was
9 born in Gambia, Africa, and immigrated to the United
10 States with his family when he was approximately four
11 years old. Upon entering the United States, the
12 defendant and his family moved to New York where they
13 lived for several years before arriving in Sun Prairie,
14 Wisconsin, approximately 15 years ago. His parents
15 admirably provided him with a loving, supporting home and
16 met all his essential needs while including the benefits
17 of modeling, hard work and education.

18 The defendant adjusted seemingly well to living in
19 the United States, maybe too well to the extent that he
20 seems to have abandoned some of his parents' values, and
21 embraced a new and dishonest lifestyle. While receiving
22 a college education at the University of Madison, the
23 defendant earned an undergraduate degree, as he
24 unfortunately led others to believe. That degree was
25 never issued, mainly because he failed to clear up an

1 issue of plagiarism. The defendant also reported that he
2 has maintained employment, although only some of that
3 employment could be verified. I understand that partly
4 that may be due to the defendant's immigration status.

5 The defendant has no prior criminal history. He has
6 no medical problems, although he recently reported
7 treatment for psychotropic medication with respect to an
8 attention deficit hyperactivity disorder. The defendant
9 also has no meaningful history of substance abuse. His
10 crime here appears to be motivated by greed and
11 dishonesty. He has engaged in a cycle of repeated lies
12 or mistruths in order to cover or conceal earlier
13 fraudulent statements. As a result, the defendant's
14 felony conviction in this case may well result in
15 deportation.

16 In December of 2013, law enforcement learned that
17 members of various fraternities at the University of
18 Wisconsin-Madison, among others, were involved in
19 purchasing and transporting large quantities of
20 marijuana. The conspiracy involved individuals who
21 collectively invested as much as \$80,000 for the purchase
22 of the marijuana in California and Colorado. Others that
23 were involved in the conspiracy transported the marijuana
24 to Wisconsin were paid for their assistance. Many of the
25 individuals involved in this jointly undertaken criminal

1 enterprise had been classmates at a local high school.

2 From October 2012 to January of 2015, the defendant
3 and other conspirators arranged for the transportation of
4 marijuana on at least 18 occasions. The total amount of
5 marijuana transported was approximately 500 pounds. As
6 already addressed, the defendant was central to this
7 conspiracy. He organized shipments on a number of
8 occasions and recruited drivers when necessary. The
9 combined weight of the marijuana attributable to the
10 defendant's relevant conduct totals 228 pounds or 103.42
11 kilograms.

12 Taking into consideration the nature of the offense
13 as well as the defendant's personal history and
14 characteristics, I am persuaded that a custodial sentence
15 of 30 months is reasonable and no greater than necessary
16 to hold the defendant accountable, protect the community,
17 provide the defendant the opportunity for rehabilitative
18 programs, and achieve parity with the sentences of
19 similarly situated offenders.

20 As to Count 1 of the Information, it is adjudged
21 that the defendant is committed to the custody of the
22 Bureau of Prison for a term of 30 months. I recommend
23 that the defendant receive educational and vocational
24 training as well as mental health and substance abuse
25 treatment. It is recommended that the defendant be

1 afforded pre-release placement in a residential re-entry
2 center with work release privileges in the event that he
3 is not deported. At least a three-year term of
4 supervised release is required by statute. The term of
5 imprisonment will be followed by a three-year term of
6 supervised release subject to the standard conditions.

7 In light of the nature of the offense and the
8 defendant's personal history, I adopt those standard and
9 special conditions proposed in the presentence report,
10 noting that neither party raised any objections to those
11 proposals despite being given advance opportunity to do
12 so. Pursuant to the Sentencing Reform Act of 1984, the
13 primary goals of supervised release are to assist the
14 defendant's transition into the community after a term of
15 imprisonment and to provide rehabilitation. Supervision
16 in this case will provide the defendant with needed
17 correctional programming which will include
18 rehabilitative programs, to assist with community
19 reintegration, afford adequate deterrence to criminal
20 conduct, and protect the public from further crimes
21 perpetrated by the defendant.

22 Specifically the defendant shall be subject to
23 Conditions Nos. 9 through -- 1 through 9 and 12 through
24 15 as outlined and justified in the appendix to the
25 presentence report. These conditions are warranted

1 because the defendant was involved in a conspiracy that
2 distributed in excess of 100 kilograms of marijuana into
3 the Madison area. The defendant and his co-defendants
4 were obtaining marijuana from a source in California and
5 the defendant recently traveled nationally and
6 internationally.

7 The defendant is from Gambia and will be facing an
8 immigration judge regarding his deportation status
9 because of this instant conviction. He has graduated
10 from high school and taken numerous courses at the
11 University of Wisconsin and should be very close to
12 employment and getting his degree, but he does not have
13 fixed employment and he has at least some history of
14 alcohol and marijuana use, although I do not believe that
15 drug testing is required and find that is not necessary
16 under the circumstances here.

17 It is adjudged that the defendant is to pay a \$100
18 criminal assessment penalty to the Clerk of Court for the
19 Western District of Wisconsin immediately following
20 sentencing. I also find that the defendant has -- does
21 not have the means to pay any further fine under Section
22 5E1.2 without impairing his ability to support himself
23 upon release from custody and so I impose no fine.

24 The U.S. Probation Office is to notify law
25 enforcement agencies and the state attorney general of

1 the defendant's release back into the community. But I
2 do find and I did reduce the sentence here because of the
3 real opportunity that the defendant still has to lead a
4 meaningful life, a life that will make his parents proud.
5 Whether it is here or in Gambia, there is so much that
6 still is available to this defendant. And for those
7 reasons, I did depart under Section 5K2.0.

8 There is still the matter of the defendant's
9 continued release. Despite his not having established
10 permanent employment, my understanding is that he has
11 generally complied with the requirements of probation
12 with the exception of this inexplicable decision to drive
13 to Appleton, Wisconsin, and given his lack of criminal
14 history and his continued compliance, I would consider
15 continued release subject to the defendant understanding
16 how important his continued compliance with the terms and
17 conditions of release are. It would be devastating to
18 any possibility of remaining in this country if he were
19 not -- if he were to fall out of compliance. And I'll
20 also hear from the government if they wish to argue,
21 unlike the other defendants, this defendant is deserving
22 of immediate custody.

23 MR. ANDERSON: I don't think Mr. Camara should
24 be treated differently than the other defendants, so in
25 that respect I understand.

1 THE COURT: All right. Mr. Camara, I want to
2 emphasize the benefits of your being able to self-report,
3 which I will order that you do 30 days from today between
4 the hours of 10 and 2 p.m., subject to a specific
5 designation of place of reporting. It will increase the
6 likelihood that the Bureau of Prisons will find an
7 appropriate placement for you given your lack of criminal
8 history or any violent past. I am hopeful that you will
9 be placed at a camp appropriate to your circumstances and
10 that you can immediately get started with the work that I
11 think you still need to do. You are clearly articulate
12 and bright and have the ability to do an awful lot with
13 your life. You've now been saddled with a felony, but
14 that has not prevented a lot of other people under much
15 worse circumstances from doing something with their life.

16 I would urge you to get your degree situation
17 addressed as soon as possible. I would urge you to do as
18 much reading as you can while incarcerated and to begin
19 to put a plan together that will ensure a real healing,
20 not only for yourself, but for your parents that
21 addresses whatever are the underlying causes of the
22 decisions that you make and develop a plan that will
23 persuade immigration to let you stay in this country.
24 You can certainly include my name as among those who
25 would act as a general reference for you. I don't see a

1 benefit to your being deported at this point. But that
2 is not a decision for this court.

3 I do see you as someone who has been held
4 responsible for your conduct and I can only urge you to
5 consider the possibility that you need to better
6 integrate your past, which should be a proud past, with
7 your present and that you live one life whole and with
8 integrity. If you do that, I have no doubt that there's
9 any number of things that you can still do to make your
10 family proud, to contribute to the community, and most
11 importantly to make yourself proud, really proud as
12 opposed to the superficial aspects of success.

13 With that said, I'll hear if there is anything more
14 the government wishes to do. I don't know that you need
15 to move to dismiss the Indictment. You replaced it with
16 the Indictment [verbatim].

17 MR. ANDERSON: Since he pled to the Information,
18 I do need to move to dismiss the Indictment, yes.

19 THE COURT: All right. That motion is granted.
20 Mr. Camara, I am obligated and I do tell you that you
21 have a right to appeal this Court's sentence. You have
22 very capable counsel who can explain the possible grounds
23 for an appeal and the short time you have to file a
24 notice of appeal, which is 14 days. Again, my hope is
25 that this can be the beginning of healing and of progress

1 for you and that having served your debt to society, you
2 will come out of and be treated as someone who still has
3 much to give to society.

4 Is there anything more for the defense at this time?

5 MR. DUTCH: No, Judge.

6 THE COURT: All right. We'll stand in brief
7 recess.

8 (Proceedings concluded at 2:09 p.m.)

9
10 * * * * *

11 I, LYNETTE SWENSON, Certified Realtime and
12 Merit Reporter in and for the State of Wisconsin, certify
13 that the foregoing is a true and accurate record of the
14 proceedings held on the 2nd day of February 2016 before
15 the Honorable William M. Conley, Chief Judge for the
Western District of Wisconsin, in my presence and reduced
to writing in accordance with my stenographic notes made
at said time and place.
Dated this 17th day of March 2016.

16
17 _____/s/_____

18 Lynette Swenson, RMR, CRR, CRC
19 Federal Court Reporter
20
21
22

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24 apply to any reproduction of the same by any means unless
25 under the direct control and/or direction of the
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